

2003 No. 3301

PRISONS

The Prison (Amendment) Rules 2003

Made - - - - - *17th December 2003*

Laid before Parliament *22nd December 2003*

Coming into force - - - *26th January 2004*

The Secretary of State, in exercise of the powers conferred upon him by section 47 of the Prison Act 1952(a), hereby makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Prison (Amendment) Rules 2003 and shall come into force on 26th January 2004.

Amendments of the Prison Rules

2. The Prison Rules 1999(b) are amended as follows.
3. In rule 2(1) (interpretation), add the following definition:
““intermittent custody order” has the meaning assigned to it by section 183 of the Criminal Justice Act 2003(c);”.
4. In rule 35 (personal letters and visits):
 - (a) in paragraph (2), for “paragraph (8)” substitute “paragraphs (2A) and (8)”; and
 - (b) after paragraph (2) insert:
“(2A) A prisoner serving a sentence of imprisonment to which an intermittent custody order relates shall be entitled to receive a visit only where the governor considers that desirable having regard to the extent to which he has been unable to meet with his friends and family in the periods during which he has been temporarily released on licence.”.
5. In rule 43 (prisoners’ property), after paragraph (2) insert the following paragraph:
“(2A) Where a prisoner is serving a sentence of imprisonment to which an intermittent custody order relates, an inventory as referred to in paragraph (2) shall only be kept where the value of that property is estimated by the governor to be in excess of £100.”.

Home Office
17th December 2003

Paul Goggins
Parliamentary Under-Secretary of State

(a) 1952 c. 52. There are amendments to section 47 which are not relevant to the subject matter of these Rules.
(b) S.I. 1999/728. There are amendments to the Prison Rules 1999 which are not relevant to the subject matter of these Rules.
(c) 2003 c. 44.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Prison Rules 1999 in relation to prisoners serving a sentence of imprisonment to which an intermittent custody order relates. An intermittent custody order is an order which a court makes when passing a sentence of imprisonment which specifies the periods during which the prisoner is to be released temporarily on licence before he has served the custodial period.

Rule 4 amends rule 35 to provide that such a prisoner shall be entitled to receive a visit only where the governor considers that desirable having regard to the extent to which he has been unable to meet with his family and friends in the periods during which he has been temporarily released on licence.

Rule 5 amends rule 43 to provide that, in relation to such a prisoner, an inventory of his property shall only be kept if its estimated value exceeds £100.

£1.50

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E1747 12/2003 131747 19585

ISBN 0-11-048389-8



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